

JAN 03 2006

Practitioner's Docket No.: 1372.382.PRC

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Vijay K. Jain et al.**  
Application No.: **09/864,676**  
Filed: **05/24/2001**

Confirmation No.: **2096**  
Group No.: **2663**  
Examiner: **Duc T. Duong**

For: **Communication System Using Orthogonal Wavelet Division Multiplexing (OWDM) and OWDM-SPREA Spectrum (OWSS) Signaling**

Faxed to (571) 273-8300  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY  
(37 C.F.R. § 1.137(b))**

1. The above-identified application became abandoned for failure to timely pay the required issue fee within the statutory period of three months of the mailing date of the Notice of Allowance. The date of abandonment is the day after the expiration date of the period set for reply in the Notice of Allowance. Applicant hereby petitions for revival of this application.

2. Attachments

Attached is:

- (a) A statement indicating that the entire delay was unintentional;
- (b) Executed Revocation and Power of Attorney by Assignee;
- (c) A copy of the Notice of Recordation of Assignment; and
- (d) Form PTOL-85 for issue fee transmittal.

01/03/2006 TL0111 00000037 09864676

01 FC:2453

750.00 OP

## 4. Fee Payment

37 C.F.R. § 1.17(m)	\$750.00	(Petition Fee)
37 C.F.R. § 1.311	\$700.00	(Issue Fee)
37 C.F.R. § 1.18(d)	\$300.00	(Publication Fee)

## 5. The fee required is paid as follows:

[X] Enclosed is a Credit Card Payment Form PTO-2038 in the amount of \$1750.00 for payment of petition fee, issue fee and publication fee.

Very respectfully,

**SMITH & HOPEN, P.A.**



**SIGNATURE OF PRACTITIONER**

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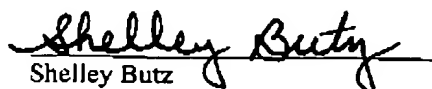
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence and payment is being transmitted to the United States Patent and Trademark Office by facsimile to (571) 273-8300 on January 3, 2006.

Dated: January 3, 2006



Shelley Butz